

## REMARKS

Applicant thanks the Examiner for her candor in explaining the withdrawal of the allowance of claims 1-12 and for indicating that claims 13 and 15 contain allowable subject matter.

### **I. Introduction**

Claims 1-10, 12, 14 and 16-19 are pending in the above application.

Claims 1-5 and 14 stand rejected under 35 U.S.C. §103(a).

Claims 10, 12 and 17 stand rejected under 35 U.S.C. §102(b).

Claims 1, 6 and 10 are independent claims.

### **I. Amendments**

Claims 11, 13 and 15 have been cancelled without prejudice or disclaimer.

Claims 1, 6 and 10 have been amended to more particularly point out that which the Applicant regards as the invention therein. Claim 1 has been amended to incorporate the limitations of objected claim 13, thereby placing claim 1 in condition for allowance. Claim 6 has been amended to incorporate the limitations of objected claim 15, thereby placing claim 6 in condition for allowance. Support for the amendments to claim 10 may be found at least at page 27, lines 20-27 and original claim 11.

New claim 18 includes a listing of organic materials previously recited in claim 10.

Support for new claim 19 may be found at least at page 27, lines 20-27 of the specification.

No new matter has been added.

### **III. Prior Art Rejections**

A. Claims 10-12 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP Pub. 05-152200 (hereafter “JP ‘200”).

Anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference as arranged in the claim. See, Akzo N.V. v. U.S. Int’l Trade Commission, 808 F.2d 1471 (Fed. Cir. 1986); Connell v. Sears, Roebuck & Co., 220 USPQ 193, 198 (Fed. Cir. 1983).

Ishimaru does not disclose a method of fabricating an organic thin film which includes in a plurality of steps, including irradiating far ultraviolet ray onto an undercoating film while heating a substrate, and forming an anti-reflection film made of a liquid organic material on said undercoating film onto which far ultraviolet ray has been irradiated, by turning said substrate and supplying a liquid organic material onto said substrate, as recited by amended claim 10.

Ishimaru discloses a method of forming a resist pattern in which an ultraviolet ray is cast to a surface of a silicon nitride film to form an undercoating film before a resist having a carboxyl group as a side chain is applied. See, Abs. Ishimaru does not disclose to perform the UV radiation while heating the substrate, but rather discloses to perform UV radiation at room temperature. See, paragraph [0009] and [0011].

Accordingly, as Ishimaru does not disclose each and every limitation of amended claim 10, Ishimaru does not anticipate amended claim 10, nor claims 12 and 17 which depend on amended claim 10 and incorporate all of the limitations thereof.

B. Claims 1-5 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gulett (U.S. Pat. 4,075,367) in view of JP '200.

Claim 1 has been amended to include all of the limitations of claim 13 which has been indicated as being allowable. Accordingly, claim 1, as amended, is also believed to be allowable over the prior art. Likewise, as claims 2-5 and 14 depend on claim 1, and incorporate all of the limitations thereof, claims 2-5 and 14 are also believed to be allowable over the prior art. No further response is believed to be necessary.

C. Claims 6-9 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP '200 in view of Gulett.

Claim 6 has been amended to include all of the limitations of claim 15 which has been indicated as being allowable. Accordingly, claim 6, as amended, is also believed to be allowable over the prior art. Likewise, as claims 7-9 and 16 depend on claim 6, and incorporate all of the limitations thereof, claims 7-9 and 16 are also believed to be allowable over the prior art. No further response is believed to be necessary.

#### **IV. Conclusion**

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's

amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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